

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

NATIONAL CITY PARTNERSHIP
SOLUTIONS, INC.,

Plaintiff,

vs.

MIDWEST FINANCIAL AND
MORTGAGE SERVICES, INC.,

Defendant.

:

:

:

:

:

:

:

Case No. 3:07cv00408

District Judge Walter Herbert Rice
Magistrate Judge Sharon L. Ovington

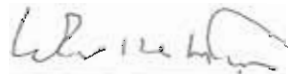
DECISION AND ENTRY ADOPTING IN FULL THE REPORT AND RECOMMENDATIONS FILED ON DECEMBER 30, 2008 (Doc. #23); GRANTING PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT (Doc. #20); DIRECTING THE CLERK OF COURT TO ENTER JUDGMENT IN FAVOR OF PLAINTIFF NATIONAL CITY PARTNERSHIP SOLUTIONS, INC. AND AGAINST DEFENDANT MIDWEST FINANCIAL AND MORTGAGE SERVICES, INC. IN THE AMOUNT OF \$840,575.00; DENYING AS MOOT PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (Doc. # 21); AND TERMINATING THE CASE ON THE DOCKET OF THIS COURT

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #23), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** in full said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Report and Recommendations filed on December 30, 2008 (Doc. #23) is **ADOPTED** in full;

2. Plaintiff's Motion for Default Judgment (Doc. #20) is GRANTED under Fed. R. Civ. P. 16(f) and 37(b)(2)(A)(vi);
3. The Clerk of Court is directed to enter Judgment in favor of Plaintiff National City Partnership Solutions, Inc. and against Defendant Midwest Financial and Mortgage Services, Inc. in the amount of \$840,575.00 pursuant to Fed. R. Civ. P. 58;
4. Plaintiff's Motion for Partial Summary Judgment (Doc. #21) is DENIED as moot; and
5. This case is terminated on the docket of the Court.



Walter Herbert Rice
United States District Judge